(G.C.P.)J 455 (5,00,000)-11.2001) Spl-H.C.,A.S.,C.D.,78e

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
CRIMINAL WRIT PETITION NO.1222 OF 2004

Office Notes, Office Memoranda of Coram, appearances, Court's order or directions and Registrar's order.	Court's or Judge's orders

Shri D.S.Mhaispurkar, APP for the Respondent.

CORAM: R.M.S.KHANDEPARKAR
&
P.V.KAKADE, JJ

DATED: 4th February, 2005.

P.C.

. Perused the records and the affidavit-in-reply. Considering the facts disclosed in the affidavit in reply that on the last occasion, it is revealed that the Petitioner did not surrender on the date on which he was required to surrender, after availing the facilities of furlough leave and had overstayed for a period of 211 days, and again when he released on 16th December, 2000, he overstayed for 120 days and was arrested by the police. It is apparent that on the last two occasions, the Petitioner had overstayed for a period of 211 days and

120 days, beyond the period of furlough leave. In the circumstances, therefore, considering the provisions of law and the conduct of the Petitioner, no fault can be found with the order rejecting the furlough leave to the Petitioner. Hence, the petition is rejected. The Respondents to intimate the order to the Petitioner.

(R.M.S.KHANDEPARKAR, J)

(P.V.KAKADE, J)